

Hearing Date: July 24, 2024

Time: 9:30 a.m.

Location: Courtroom #1, Philadelphia, PA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 11
	:	
WOPIRB, LLC,	:	BANKR.NO. 23-12722-pmm
	:	
Debtor.	:	

**UNITED STATES TRUSTEE'S MOTION TO
DISMISS OR CONVERT TO CHAPTER 7**

The United States trustee for Region 3 (the “U. S. trustee”), in furtherance of the administrative responsibilities imposed under 28 U.S.C. Section 586(a), moves pursuant to 11 U.S.C. § 1112(b), for the entry of an order dismissing this case or converting the case to chapter 7. In support of his motion, the U. S. trustee represents as follows:

1. WOPIRB, LLC (the “Debtor”) commenced this case by filing a voluntary petition under chapter 11 of the U. S. Bankruptcy Code on September 11, 2023 (the “Petition Date”).
2. Since the Petition Date, the Debtor has failed to remain current with the filing of its monthly operating reports as required under 11 U.S.C. § 704(8), 11 U.S.C. § 1106(a)(1), 11 U.S.C. § 1107(a), Fed. R. Bankr. P. 2015(a)(3), the U. S. trustee Operating Guidelines and LBR 2015-1. To date, the reports for the months of March through and including May 2024 are past due, and the report for the month of June 2024 will be due prior to the date of the hearing on this motion.
3. On December 11, 2023, the Debtor filed a Plan of Reorganization (“Plan”) which provides, inter alia, that the Plan will be funded by the sale of the Debtor’s property without providing any details regarding such sale. Seven months from the filing of the Plan and

the Debtor has yet to provide any information regarding the proposed sale of its property, nor does it appear it has taken any action to move its Plan toward confirmation including, requesting a bar date, or filing and obtaining approval of a disclosure statement, among other things.

4. The U. S. trustee avers that the failure to comply with the provisions of the Bankruptcy Code, the Federal and Local Bankruptcy Rules, and the U. S. trustee Guidelines constitute grounds for the dismissal or conversion of this case to chapter 7 pursuant to 11 U.S.C. § 1112(b). *See e.g., In re Wilkins Inv. Group, Inc.*, 171 B.R. 194, 196 (Bankr. M.D. Pa. 1994) (“The failure to file operating reports constitutes cause for dismissal”) (citations omitted).

For the reasons set forth above, among others, the U. S. trustee respectfully requests that the Court conduct a hearing on the above issues and enter an order dismissing this case or converting it to chapter 7. The U. S. trustee specifically reserves the right to supplement his motion at or prior to the hearing thereon.

Dated: July 1, 2024.

ANDREW R. VARA
United States trustee, Regions 3 and 9

By: /s/ Dave P. Adams
Dave P. Adams
900 Market Street, Suite 320
Philadelphia, Pennsylvania 19107
(215) 597-4411
(215) 597-5795 (fax)
dave.p.adams@usdoj.gov